

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BOARD OF TRUSTEES OF THE CITY OF
FORT LAUDERDALE GENERAL
EMPLOYEES' RETIREMENT SYSTEM, *et al.*,

Plaintiffs,

-v-

MECHEL OAO, *et al.*,

Defendants.

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No. 09 Civ. 3617 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of a pre-motion letter from Plaintiffs, dated November 22, 2010, seeking permission to move to effect alternative service on individual defendants Igor V. Zyuzin, Stanislav A. Ploschenko, and Vladimir A. Polin pursuant to Rule 4(f)(3) of the Federal Rules of Civil Procedure. The Court is also in receipt of Defendants' responsive pre-motion letter, dated November 23, 2010, requesting the Court to defer consideration of the service issue pending its resolution of Mechel's fully-submitted motion to dismiss, the granting of which would moot Plaintiffs' contemplated motion. In light of the obvious conservation of the parties' and the Court's resources that may result from such a deferral, IT IS HEREBY ORDERED THAT Plaintiffs' contemplated motion for effectuation of alternative service is deemed made and denied without prejudice to renewal upon the resolution of the motion to dismiss.

SO ORDERED.

Dated: November 23, 2010
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE